The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte KAREN L. FINCHER

Appeal No. 2004-1480 Application 09/732,627

ORDER DISMISSING APPEAL

MAILED

FEB - 1 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Before FLEMING, <u>Chief Administrative Patent Judge</u>, HARKCOM, <u>Vice Chief Administrative Patent Judge</u>, ADAMS, <u>Administrative Patent Judge</u>.

Per curiam.

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On January 29, 2003, appellant filed a Notice of Appeal. On December 23, 2005, appellant filed a communication requesting that this application be expressly abandoned in view of a continuing application filed December 22, 2005.

Accordingly, it is

ORDERED that the appeal filed January 29, 2003, is dismissed.

Appeal No. 2004-1480 Application 09/732,627

The application is being returned to the examiner for further action as may be appropriate.

Michael R. Fleming, Chief Administrative Patent Judge

Gary V. Harkcom, Vice Chief Administrative Patent Judge

Donald E. Adams
Administrative Patent Judge

BOARD OF PATENT

APPEALS AND

INTERFERENCES

Monsanto Company 800 N. Lindbergh Blvd. Mailzone E2NA St. Louis, MO 63167

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